

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:14-cr-00087-MR-DLH**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) O R D E R
)
JACOB THOMAS PEARCE,)
)
 Defendant.)
)

)

THIS MATTER is before the Court on the Defendant’s “Motion to Request to Prepare and File Post-Sentence Relief” [Doc. 46].

In his motion, the Defendant requests that the Court provide him a copy of “the record on file,” presumably at the Government’s expense. For grounds, the Defendant states that the record “is necessary at this time for Defendant to begin preparing for post-sentencing relief available.” [Doc. 46 at 1].

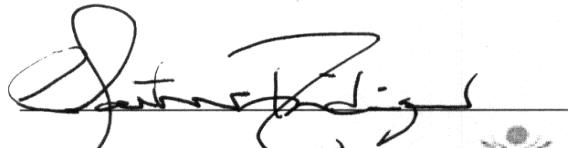
The Defendant pleaded guilty in April 2015 to one count of transportation of a minor with intent to engage in sexual activity, in violation of 18 U.S.C. § 2423(a). He was sentenced in September 2015 to a term of 120 months’ imprisonment. [Doc. 43]. He did not file a direct appeal, and there are no post-conviction motions pending before the Court.

While the Defendant states he needs the requested documents in order “to begin preparing for post-sentencing relief” [Doc. 46 at 1], the Defendant fails to identify the basis on which he could possibly now seek such relief. Accordingly, the Court finds that the Defendant has failed to demonstrate a particularized need for the requested transcripts and pleadings. See United States v. MacCollom, 426 U.S. 317, 326-27 (1976) (holding that federal inmates are not entitled to transcripts at Government expense absent some showing of a particularized need); Jones v. Superintendent, Va. State Farm, 460 F.2d 150, 152 (4th Cir. 1972) (“[A]n indigent is not entitled to a transcript at government expense without a showing of the need, merely to comb the record in the hope of discovering some flaw.”) (citation omitted). Having failed to demonstrate a particularized need for the requested transcripts, the Defendant’s motion must be denied.

IT IS, THEREFORE, ORDERED that the Defendant’s “Motion to Request to Prepare and File Post-Sentence Relief” [Doc. 46] is **DENIED**.

IT IS SO ORDERED.

Signed: May 9, 2017



Martin Reidinger
United States District Judge

